

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



Policy Number:
246-12 **Effective Date:**
03/27/2017

Subject:
Crisis Negotiation Team

Approved by:

Steven D. Hebbe, Chief of Police



Purpose

The purpose of this procedure is to establish guidelines and procedures for the deployment, utilization and operation of the Crisis Negotiation Team (CNT).

Policy

It is the policy of the Farmington Police Department to maintain a Crisis Negotiation Team for use during certain circumstances that may include, but are not limited to, hostage situations, barricaded subject(s), emotionally disturbed persons, or other circumstances deemed necessary by the Chief of Police or their designee.

Procedure

1. Definitions:

- a. **Hostage Situation:** A hostage situation begins the moment a suspect(s) takes a person under their control and subjects that person to the risk of bodily harm for the purpose of furthering a criminal act or to facilitate escape.
 - i. **Classic Situation:** When the hostage taker is contained within a room, building, store or other physical area.
 - ii. **Mobile Situation:** When the hostage taker is on the street or another location where he or she is not restricted by clear physical boundaries.
- b. **Barricaded Subject:** This type of incident is characterized by a subject, known or believed to be armed, in a contained location that refuses to comply with the lawful orders of police personnel. This subject may have made threats of violence either expressed or implied, towards police officers, civilians or themselves.
- c. **Emotionally Disturbed Persons:** Persons who do not possess reasonable coping mechanisms. This may be due to mental illness, substance abuse, or the result of extreme stress. They act from intense emotions rather than rational thinking. There may be a disorganized and impulsive approach to problem solving, often inappropriate behavior. This subject may direct most of their threatening behavior towards themselves or anyone who attempts to intervene.

- d. **Outer Perimeter**: The area sufficiently removed from the actual scene of the incident to ensure the safety of all spectators and media personnel.
- e. **Inner Perimeter**: Internal area encompassing the incident location. Initially manned by patrol personnel until relieved by ERU Tactical Team members. No one will enter this zone without a protective vest.
- f. **Point of Negotiation**: The point, usually within the Inner Perimeter where negotiations take place.
- g. **Standard Mode**: Method of negotiation where negotiators attempt to manipulate the subject into a peaceful resolution.
- h. **Tactical Mode**: Method of negotiation where real time intelligence and diversion is employed in an effort to move the subject into position for a tactical assault.

2. Team Capabilities

The Farmington Police Department Crisis Negotiation Team is capable of immediate response to conduct and manage on-scene negotiations during any significant crisis event. In addition to the typical negotiation duties that they handle, the negotiators are directed to participate in the tactical/negotiations planning processes to assist in the resolution of an incident. All negotiators shall maintain proficiency with various equipment necessary to perform their function. Completing hook ups and operation of the mobile command post are part of that function. Assist with emotionally disturbed persons, or other circumstances that require specialized training and or abilities. The CNT may be called out independently from any other specialty unit if deemed necessary by the Chief of Police or his designee.

3. Team Composition

The Crisis Negotiation Team falls under the command of the Special Operations Lieutenant (Team Commander). The CNT shall be composed of one team leader and three team members.

Selection and Retention of Negotiator Personnel

1. Application

Upon position vacancies, the Special Operations Commander may open CNT positions when deemed necessary. Officers interested in applying for the positions must meet the following criteria:

- A. Must be a full time sworn member of the Farmington Police Department.
- B. Must have a minimum of two years' experience as a law enforcement officer and off probation at the time of selection.
- C. Have no record of disciplinary action in the two years prior to application with the Crisis Negotiation Team. Disciplinary action for this purpose is defined as disciplinary action taken by the agency which has resulted in the applicant receiving time off without pay.
- D. Have no sustained use of force or courtesy violation complaints within the last year prior to application.

2. Assessment

Applicants who meet the above criteria will be eligible to assess. The assessment will consist of three stages:

Stage 1

- A. Performance Review- The applicant's performance and disciplinary history will be reviewed by team leadership. The review will consist, at a minimum, of supervisor interviews, co-worker interviews, internal and citizens' complaint review, all use of force reviewed, and working file review. The applicant's past performance review will also focus on the applicant's ability to communicate using verbal skills and listening skills, their ability to write and document, and problem solving skills.
 - a. Verbal Communication Skills- Applicants should have demonstrated a high level of proficiency in verbal communication, both speaking and listening, when dealing with people who are under stress, who are mentally or emotionally disturbed, who are angry, and/or who are resistant to arrest or custody.
 - b. Writing Skills- Applicants should have demonstrated a level of proficiency in written communication. Accurate documentation of information and the ability to pass it along to those who need it are essential requirements for a negotiator. In addition, all negotiators are required to prepare after action reports upon conclusion of an incident involving activation of the Crisis Negotiation Team.
 - c. Problem solving abilities- Applicants should have demonstrated proficiency in their ability to problem solve. The ability to assist and help others with a resolution to their crisis is a critical function of a negotiator.

The Team Commander will assess the performance review and will determine if the applicant will proceed to Stage 2.

Stage 2

- A. Written Test- The applicant will take a written test designed to test the applicant's knowledge of policy, practices, and procedures. The written test may consist of multiple choice, true/false, and/or essay questions. An applicant must score 70% or higher to obtain a passing score.
- B. Oral Interview- The applicant will participate in an oral interview with a panel consisting of the Team Commander and two other designees. The oral interview may consist of oral questions and/or a scenario. The panel will score the interview on a scale of 0 to 100. Applicants must score a 70 or higher to obtain a passing score.

Applicants who achieve qualifying scores on all Stage 2 events will proceed to Stage 3.

Stage 3

- A. Psychological Examination- The applicant will complete a psychological examination administered by a licensed psychologist of the department's choosing in order to determine the applicant's psychological suitability for the Crisis Negotiation Team.

3. Scoring and selection

The scored events will be weighted as Follows:

A. Written test score

- a. 70-75= 8 points
- b. 76-80= 10 points
- c. 81-85= 12 points
- d. 86-90= 14 points
- e. 91-95= 16 points
- f. 96-99= 18 points
- g. 100= 20 points

B. Oral interview score

- a. 70-75= 25 points
- b. 76-80= 35 points
- c. 81-85= 45 points
- d. 86-90= 55 points
- e. 91-95= 65 points
- f. 96-99= 75 points
- g. 100= 80 points

Candidates will be ranked according to overall score to determine who will be selected for open positions.

4. Probationary status

Once selected for an opening on the Crisis Negotiation Team, the team member will be placed into probationary status for a period of one year from date of selection.

At any time during the probationary period, a team member may be dismissed from the team without cause.

5. Retention

All Crisis Negotiation team members serve at the discretion of the Chief of Police. Any team member can be removed from the Crisis Negotiation Team for any reason at the discretion of the Chief of Police or their designee.

Crisis Negotiation Team members should consider themselves as serving in an elite position with the department, and their performance should reflect as such both on the team and in the performance of their primary duties within the department.

Any team member who is convicted of a crime, or loses their law enforcement certification, whether temporary or permanent, will be immediately dismissed from the team.

Any team member who receives a sustained disciplinary action or receives a less than average overall rating on their semi-annual performance evaluation in their primary duty assignment will be subject to review by the Team Commander for discipline or removal from the team.

Team Members who fail to demonstrate proficiency during training exercises and/or evaluations may be required to perform remedial training. Failure to demonstrate proficiency after remedial training may result in discipline.

6. Psychological Exams

- a. Crisis Negotiation Team members are required to undergo and pass a psychological examination every two years to insure adequate psychological health to preform Negotiation duties. Team members who are found to have inadequate psychological health based on the opinion of the psychologist will be placed immediately into a non-deployable status. The team member may return to deployable status when cleared by the Chief of Police or designee. If a team member is not cleared to return to a deployable status within 90 days, they will be removed from the team and may return as provided for under the Reselection section below once the team member is cleared by the Chief of Police.
- b. Crisis Negotiation Team members may be asked and required to be seen by a licensed psychologist prior to the two years at any given time the Team Commander or designee sees fit.

7. Resignation

Members of the Crisis Negotiation Team may resign by submitting a letter of resignation to the Team Commander. Based on the needs of the team, the Team Commander may reject the letter of resignation until such time that the member can be replaced.

8. Reselection

Past Crisis Negotiation Team member who have left the team under circumstances involving a leave of absence or voluntary withdrawal may reassess for the a position in the event there is an open position on the team.

Past team members who were removed from the team as a result of discipline or failure to maintain adequate levels of performance on the team or in their primary department duties are eligible to reapply for open positions with approval from the Team Commander after a period of one year from the date of removal from the team.

9. Training

The Farmington Police Department Crisis Negotiation team is a collateral duty team. On occasion, team members may experience scheduling conflicts due to the responsibilities of their primary duties. However, training attendance is critical to maintain proficiency in required skills. Team members must attend a minimum of 70 percent of scheduled training in a calendar year. Failure to attend at least 70 percent of scheduled training in a calendar year may result in discipline up to and including dismissal from the team. Any absence from training must be excused by a team leader or the team commander at least 24 hours prior to the scheduled training unless exigent circumstances exist. The team member must contact a Team Leader or the Team Commander by phone call and receive verbal approval for their absence. Any team members who are absent from any portion of a scheduled training will be required to

submit a written memo to their team leader within 24 hours of the completion of training. The memo shall document the reason for the absence and the number of hours that were missed.

10. Training philosophy

CNT training will center on preparing the team and its members to accomplish the Farmington Police Department mission statement and the Team Capabilities listed above.

11. Training Management

The Team Leader is responsible for creating a training schedule. Training will be scheduled for the calendar year. However, the training schedule may be changed at the discretion of the Team Commander or Team Leader based on the needs of the team. The training schedule is based on certifying the team for readiness in each of the Team Capabilities. Individual and team skills required to accomplish the capabilities are identified, trained, and evaluated on training days. Team members will be individually evaluated for competency during these training days. After completing the necessary training and evaluation for a particular capability, there will be a scenario training day, evaluated by the Team Commander and/or Team Leader, in which the team will complete one or more scenarios to certify readiness for the particular team capability.

On-Call and Call Out Availability

Crisis Negotiation personnel will be assigned to squads on the SWAT Team. Each squad serves in a rotating on call status for one week at a time. An on-call calendar is maintained on Google Calendars. The squads rotate on-call status on Monday mornings at 0700. Team members are required to maintain on-call status according to the on-call calendar. Crisis Negotiation Team call outs and team notifications are accomplished through the Everbridge Notification System. The system is able to send notifications through voice phone calls, text messaging, and email. At a minimum team members will be notified on their work cell phone and email. Team members may have additional methods of communication (home phones, personal cell phones, and personal email addresses, etc.) added to the Everbridge System by providing the information to the Team Commander or Team Leader. During a call-out, relevant information for the particular call out is provided in the Everbridge notification to include response location and safe routes, if necessary. While on-call, Team members must maintain access to one of the above communication methods, so they may receive call-out notifications in a timely manner.

Team members who are on-call must maintain all required equipment and be available to respond to a scene or staging area within 30 minutes of being called out. **UNDER NO CIRCUMSTANCES WILL A TEAM MEMBER CONSUME ALCOHOL, DRUGS, OR ANY MEDICATION THAT MAY AFFECT THEIR COGNITIVE ABILITIES WHILE ON-CALL. TEAM MEMBERS WILL NOT RESPOND TO ANY CALL-OUT UNDER THE INFLUENCE OF ANY SUBSTANCES.** Illnesses and team members on FMLA shall advise the Team Commander through their chain of command. If a team member is utilizing sick leave or FMLA leave, they shall not serve in an on-call position. It is the responsibility of team leadership to arrange for on-call coverage. Team members may trade on-call coverage with a team member from a different squad for vacation and/or other time off needs. It is the responsibility of the person who is having their on-call covered to notify by email the Team Leaders of the on-call trade, which will be recorded in the Google calendar. On-call trades must be completed prior to any call-out. When trading on-call coverage, Team members will accurately record the associated on-call compensation on their time card. Team members who are on-call and fail to respond to a call-out must submit a memo to the Team Commander within 24hours of the call-out. The memo shall document the reason for missing the call-out. Team members who fail to respond to a call-out while on-call may be subject to discipline.

Call Out Procedures

Team Leadership will utilize the following procedures during call outs.

Note: Every situation is unique. The following is a general guide. In some situations, the following steps may be completed in different order or some steps may not be included at all due to the characteristics of the particular mission.

Receive the mission

Notify SWAT On-Call leadership and or their designee

Respond to the location

Receive brief from the Incident Commander or designee

Operate at all times with a scribe and communication support

Interview all appropriate witnesses and involved personnel

Consult with the Incident Commander regarding negotiation tactics

Establish radio/telephone contact with the Incident Commander/Command Post

Establish Voice contact with the suspect by telephone from the command post or a neutral site, or by loudspeaker from a site designated by the Incident Commander or designee.

Confer with the Incident Commander and reach a consensus and understanding before establishing any agreements with the suspect.

Negotiable Matters

The following negotiation points must be approved by the Incident Commander before action:

- A. Movement
- B. Transportation
- C. Money
- D. Hostage exchange for goods
- E. Food and water
- F. Utility service

Non-Negotiable Matters

- A. Unconditional freedom for suspects
- B. Unconditional freedom for other subjects in custody
- C. Total withdrawal of law enforcement personnel from the scene
- D. Provision of weapons, drugs or alcohol to the suspect
- E. Provision of additional hostage placed under the control of the suspect

After Action

After the completion of an incident, the negotiation team will document in a detailed report of the negotiations during the incident. The report will be submitted to the Team Leader. The Team Leader will submit to the Team Commander an incident debrief within 24 hours of the call-out.